

Claim 32 has been amended to specify a degree of homology. Support for this amendment can be found, *inter alia*, on page 23 of the application as originally filed.

The Examiner required Applicants to elect one of thirteen patentably distinct inventions for examination. The Office Action alleges that each of the inventions is distinct because, *inter alia*, they “have no common utility which is based upon a shared structural feature lacking from the prior art and disclosed as a basis for that common utility.” (Office Action at page 4).

Applicants provisionally elect herein Group III, encompassing claims 30-35, “drawn to an isolated polypeptide, classified in class 530, subclass 350”.

Notwithstanding the foregoing, Applicants respectfully submit that no serious burden would be imposed upon the Examiner by combining several of the groups.

Applicants reserve the right to prosecute the claims encompassed by any of the non-elected groups in future divisional applications.

Objections

Claims 30-39, 44, 47, 52, 67, and 68 were objected to under 37 CFR 1.75(c) for allegedly failing to further limit the subject matter of a previous claim. The Office also alleges that claims 44, 47, 52, 67, and 68 are “not product-by process claims because the processes referred to therein are analytical, not synthetic.”

Preliminarily, Applicants note that objected claims 36-39, 44, 47, 49, 52, 67, and 68 do not fall in the group elected by Applicants and, therefore, are withdrawn from consideration.

Applicants disagree with the Office’s contention that claims 30-35 fail to limit the subject matter of a previous claim. The scope of each of claims 30-35 differs from the scope of each respective previous claim. Claim 30 is broader in scope than claim 31. The scopes of claims 32 as amended and 33-35 also differ from the scopes of preceding claims.

Applicants respectfully request the reconsideration and withdrawal of the objection to the claims.

Change of Correspondence Address

As set forth on the attached "Change of Correspondence Address" form SB-122, Applicants respectfully request that all future correspondence related to this application be directed to:

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Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

The examination of these claims and passage to allowance are respectfully requested. An early Notice of Allowance is therefore earnestly solicited. Applicants invite the Examiner to contact the undersigned at (215) 665-6904 to clarify any unresolved issues raised by this response.

Respectfully submitted,

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Date: January 28, 2003
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Version with markings to show changes made

In the Claims:

Please amend claim 32 as follows:

Claim 92 **(Amended)** The polypeptide of claim 30 wherein said polypeptide comprises an amino acid sequence [homologous] with at least 95% sequence identity to a sequence of SEQ ID NO:2.